

**LAND SURVEYORS SECTION  
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL GEOLOGISTS, PROFESSIONAL ENGINEERS, DESIGNERS AND  
LAND SURVEYORS  
MINUTES  
MADISON, WISCONSIN  
APRIL 12, 2001**

**PRESENT:** Harold Kolb and Rick Van Goethem; James Rusch (by telephone)

**EXCUSED:** Robert Hoskins

**STAFF PRESENT:** Alfred Hall Jr. and Jan Neitzel; Wayne Austin and Darwin Tichenor were available for a portion of the meeting

**GUESTS PRESENT:** Francis Thousand, Wisconsin Society of Land Surveyors

**CALL TO ORDER**

The meeting was called to order at 1:53 p.m. by Rick Van Goethem, Chair. A quorum of 3 members was present.

**AGENDA**

By consensus, the Section approved the agenda as published.

**MINUTES (02/08/01)**

**MOTION:** Jim Rusch moved, seconded by Harold Kolb, to approve the minutes as printed. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**Secretary Oscar Herrera**

Secretary Herrera met with the Section members at the preceding meeting of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors.

**Alfred Hall, Bureau Director**

- **Stipulations**

Alfred Hall explained stipulations would be presented in Open Session with the case advisor and prosecuting attorney answering questions and presenting information to clarify and support the stipulation. The Section will deliberate in Closed Session on the stipulation, without the case advisor or the prosecuting attorney, to assure neither of them can say anything to oppose the stipulation. The proposed stipulation will be voted on in Open Session with the case advisor abstaining.

- **Land Surveyor Section Roster**

Noted.

- **2001 Section Meeting Dates**

The Section was unable to act on the proposed stipulation for William A. Shearman, because Mr. Rusch had to abstain from voting and deliberation. The Section did not have a quorum to act without him. Therefore, the Section scheduled a telephone conference meeting at 8:00 a. m. on April 26, 2001, to act on the proposed stipulation.

- **Regulatory Digest Draft**

The Section determined the “professional resident” article was inaccurate and would discuss this issue at the A-E Board meeting. The proposed article relating to landscape architects residency requirements will be deleted.

- To-Pass-Folder

There was no information for the To-Pass Folder.

## **DISCUSSION OF LEGISLATIVE ISSUES**

Nothing to report.

## **ADMINISTRATIVE RULE DISCUSSION**

### **Educational Requirements**

The Section discussed changing the no less than 12 credits to 24 credits in courses concentrating on the legal principles of land surveying and the technical aspects of land surveying for candidates who received a bachelors degree in civil engineering of not less than four years duration from a college or university acceptable to the section. The Section will review classes that are not ABET approved.

**MOTION:** Harold Kolb moved, seconded by Jim Rusch, to change the required 12 credits to 24 credits in courses concentrating on the legal principles of land surveying and the technical aspects of land surveying for candidates who received a bachelors degree in civil engineering of not less than four years duration from a college or university acceptable to the section. Motion carried unanimously.

Alfred Hall will draft a Scope Statement and Wayne Austin will write a Rule Draft to reflect the change from 12 credits to 24 credits in land surveying required for a Bachelors degree.

## **SECTION MEMBER ACTIVITY**

Nothing to report.

## **NCEES**

### **February 1-3, 2001, Board Presidents/MBA Assembly Phoenix, AZ,**

Jim Rusch attended the NCEES meeting February 1-3, 2001 in Phoenix, Arizona. Mr. Rusch submitted a written report and reported that there has been an increase of fraudulent college transcripts supplied over the Internet.

### **Examination Security Issues, 10/10/00**

This issue was discussed in length at the A-E Board meeting.

## **PRACTICE ISSUES**

Nothing to report.

## **EXAMINATION ISSUES**

The Section members reviewed several questions on the October 2000, exam that were challenged by candidate number 508000165.

**MOTION:** Harold Kolb moved, seconded by Jim Rusch, to accept the grading of the test questions challenged by candidate number 508000165. Motion carried unanimously.

## **MISCELLANEOUS CORRESPONDENCE/INFORMATION**

### **Circuit Court Branch 12, Dane County Case No. 00CV 1817 Roland Sarko vs. Examining Board of Architects, Landscape Architects, professional Engineers, Designers, and Land Surveyors Decision and Order,**

Judge David T. Flanagan, Circuit Court, determined the findings of the Board (Land Surveyor Section) did not support a determination of "incompetence" within the meaning of sec. 443.12 (1), Wis. Stats. The court remanded the matter back to the Board for further proceedings.

### **Request to Pursue Appeal of Decision of Case No. 00 CV 1817**

Wayne Austin advised the Section that the Department has appealed the decision on case 00 CV 1817 in Dane County Circuit Court relating to Roland Sarko, land surveyor. Mr. Austin requested the Land Surveyor Section affirm his action, to continue with the appeal of the decision of case 00 CV 1817.

**MOTION:** Jim Rusch moved, seconded by Harold Kolb, to ratify the request of the Department to appeal the decision of Dane County Circuit Court case 00 CV 1817, relating to Roland Sarko. Motion carried unanimously.

## **NEW BUSINESS**

The stipulation for William A. Shearman (Lake Nebagamon, WI) was presented in Open Session. The Section did not have any questions. Mr. Rusch, as the case advisor decided not deliberate and will abstain from voting on the stipulation. Mr. Rusch's decision left the Section without an adequate quorum to act on the stipulation. The Section scheduled a telephone conference meeting at 8:00 a.m. on April 26, 2001, to act on the proposed stipulation.

### **RECESS TO CLOSED SESSION**

**MOTION:** Harold Kolb moved, seconded by Jim Rusch, to convene the meeting in closed session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats.): to consider the licensing or discipline of a person licensed by this Section or the investigation of charges against such a person. Specifically, to discuss the issue of case status report, deliberate on a stipulation signed after printing of agenda, and pending applications. Motion carried by a roll call vote: Harold Kolb-yes; James Rusch-yes; and Rick Van Goethem-yes.

Open Session recessed at 2:47 p.m.

The Section deliberated on issues relating to case status reports, pending applications and a stipulation that was signed after printing of the agenda.

### **RECONVENE IN OPEN SESSION**

By consensus, the Section reconvened in Open Session at 3:54 p.m.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

#### **APPLICATION REVIEW**

#### **FOR REGISTRATION AS A LAND SURVEYOR**

- **Approved**

**MOTION:** Harold Kolb moved, seconded by Jim Rusch, to approve the following applications reviewed by the Section on April 12, 2001. Motion carried unanimously.

Becker, Michael V.  
Bongle, Joseph M.  
Ohm, William F.  
Olsen, Michael J.  
Vonmeyer, Nancy R.

- **Approved by Comity**

**MOTION:** Jim Rusch moved, seconded by Harold Kolb, to approve the following application by comity. Motion carried unanimously.

Elizabeth Roat

- **Intent to Deny**

**MOTION:** Jim Rusch moved, seconded by Harold Kolb, to issue an intent to deny. Motion carried unanimously.

Stankiewicz, Patrick D.

- **Deny**

**MOTION:** Jim Rusch moved, seconded by Harold Kolb, to deny the following application. Motion carried unanimously.

Fischer, Kyle R.

### **ADJOURNMENT**

**MOTION:** Harold Kolb moved, seconded by Jim Rusch, to adjourn the meeting at 3:58 p.m. Motion carried unanimously.